

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DOLORES C. OMOREBOKHAE,

Docket No. 08-CV-1512

Plaintiff,

**DEFENDANTS FIRST SET  
OF INTERROGATORIES  
TO PLAINTIFF**

- against -

U-HAUL CO. OF NEW JERSEY, INC., and  
U-HAUL INTERNATIONAL, INC.,

Defendants.

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Defendants U-HAUL CO. OF NEW JERSEY, INC., by and through their attorneys, pursuant to Rule 33 of the Federal Rules of Civil Procedure and Rule 46 of the Local Rules of the United States District Court for the Southern District of New York, hereby demand that Plaintiff DOLORES C. OMOREBOKHAE respond to Defendants' First Set of Interrogatories under oath and produce the following records within thirty (30) days of the service hereof.

**I. INSTRUCTIONS**

A. If any of these Interrogatories cannot be responded to in full, please answer to the fullest extent possible, specifying the reasons for your inability to answer the remainder and stating what information you do have concerning the unanswered portion.

B. You shall refer to the Federal Rules of Civil Procedure and to these instructions. Whenever there is an ambiguity with respect to the term document, you shall interpret the term so as to enlarge, rather than to restrict, discovery.

C. In lieu of identifying any document(s), you may attach a legible and complete copy of each such document to your response to these Interrogatories and indicate the portion thereof, described by page and line numbers when possible, which bears upon the subject inquired upon in the particular Interrogatory.

D. The terms “relate to” and “pertaining to” shall mean to consist of, refer to, reflect or in any way be legally, logically or functionally in connection with the matter discussed.

E. In the event any requested document is not produced because it is not presently in your possession, custody or control or because of a claim of privilege, identify the document by providing the following information:

- (1) Approximate date;
- (2) Type of document (e.g. letter, memorandum, etc.);
- (3) A general description of its subject matter;
- (4) Identification of author and address, if applicable;
- (5) Present location and custodian; and,
- (6) Any other description which may enable the custodian of records to locate the particular document.

F. Wherever used herein the singular shall be deemed to include the plural and the plural shall be deemed to include the singular. The masculine, feminine and neuter pronoun shall be deemed to include each other; the disjunctive “or” shall be deemed to include the conjunctive “and”; and the conjunctive “and” shall be deemed to include the disjunctive “or”. Each of the functional words “each”, “every”, “any”, and “all” -- shall be deemed to include all the other functional words, as necessary to bring within the scope of this request any documents or other information which might otherwise be construed to be outside the scope of these Interrogatories.

G. Pursuant to Federal Rule of Civil Procedure 26(e), these Interrogatories are continuing in nature, so as to require the filing of supplemental answers if further or different information or documents are obtained prior to trial.

H. Whenever used herein the terms “you” and “your” shall be construed to refer to Plaintiff DOLORES C. OMOREBOKHAE and any one else acting on her behalf, including but not limited to her attorney(s), accountant(s), expert(s), physician(s) or other agents.

### **INTERROGATORIES**

#### **INTERROGATORY NO. 1:**

State the exact location and manner in which Plaintiff alleges the accident referred to in the Complaint took place.

***ANSWER:***

#### **INTERROGATORY NO. 2:**

State the precise route and length of time Plaintiff traveled immediately prior to reaching the location where the accident is alleged to have occurred and, if any stops were made along the way, the location and length of those stops.

***ANSWER:***

#### **INTERROGATORY NO. 3:**

State whether the location of the alleged accident and/or the vehicle involved in the alleged accident was inspected, photographed or otherwise documented on Plaintiff's behalf and, if so, on what date and identify the name, address and telephone number of the person and/or entity who undertook these tasks.

***ANSWER:***

**INTERROGATORY NO. 4:**

- (a) State the name, address and telephone number of each witness with knowledge or information relevant to each and every fact which you contend supports the Complaint of Plaintiff.
- (b) Identify each and every document which you contend supports these allegations; and,
- (c) State the name, address and telephone number of the custodian of records of each document referred to in subparagraph (b) hereinabove.

***ANSWER:***

**INTERROGATORY NO. 5:**

With respect to the request for relief sought alleged in the Complaint, separately set forth for each count of damages:

- (a) Each itemized element of damages and the dollar amount assigned to each element of damages;
- (b) State the manner in which you determined or computed damages;
- (c) If you have not yet determined specific dollar amounts of your alleged damages state the method, formula or theory by which you will compute your alleged damages;
- (d) Identify each person with whom you have consulted or who in any way participated in the computation, derivation, construction or creation of your alleged damages or each method, formula or theory by which you have computed or will compute damages;
- (e) Identify each document which refers, reflects or relates to your damages or to any matter set forth in your answers to any part of this Interrogatory; and,
- (f) State all actions taken by you to reduce or mitigate your alleged damages.
- (g) State whether there has been any settlement with other tortfeasors involved in the alleged accident.
- (h) State whether Plaintiff asserts a claim for property damage and, if so, whether Plaintiff is in possession of any appraisals, estimates, repair records and the like.

***ANSWER:***

**INTERROGATORY NO. 6:**

State the name and address of each witness to each occurrence alleged in the Complaint, including all witnesses the Plaintiff intends to call at the trial of this matter, and as to each indicate:

- (a) The subject matter, in reasonable detail, on which each witness is expected to testify; and
- (b) The substance of the facts and opinions on which each witness is expected to testify.

***ANSWER:***

**INTERROGATORY NO. 7:**

Please state the Plaintiff's residence addresses for the last ten (10) years, the Plaintiff's date of birth and the Plaintiff's social security number.

***ANSWER:***

**INTERROGATORY NO. 8:**

With respect to your claim that Defendants or their employees, agents or servants were negligent please set forth:

- a. a full and complete description of each and every negligent act and/or committed by each Defendant, or its agent,, contractor, and/or or employee;
- b. an explanation of how the alleged negligent act and/or omission caused the incident to occur;
- c. state the name, address and telephone number of each individual who has knowledge or information concerning each and every alleged negligent act and/or omission and its causal relationship to the incident;
- d. State by Chapter, Article, Section and Paragraph each statute, regulation, rule or ordinance, if any, claimed to have been violated by Defendants; and
- e. State whether an intentional act or tort is claimed by Plaintiff.

This Interrogatory does not seek a reiteration of the conclusions set forth in your Complaint; rather it seeks the specific facts and circumstances upon which you base your contentions.

***ANSWER:***

**INTERROGATORY NO. 9:**

With respect to the allegations in the Plaintiff's Complaint:

- (a) Identify each and every diagnostic medical treatment or surgery undergone or administered to the Plaintiff, including the dates of each such treatment or surgery and the results of such treatment or surgery taking place from the date of the alleged negligence or alleged carelessness;
- (b) State the name, address and telephone number of each and every physician or other medical personnel who provided diagnostic medical treatment or surgery to you from the date of the alleged negligence or alleged carelessness; and,
- (c) State the name, address and telephone number of the custodian of records of each and every document referred to in subparagraph (b) hereinabove.

***ANSWER:***

**INTERROGATORY NO. 10:**

With respect to the allegations in the Plaintiff's Complaint:

- (a) Describe in detail the bodily injuries you allegedly sustained as a result of the incident and state whether you previously suffered from any condition and/or had sustained any injury to the affected area(s).
- (b) State the name, address and telephone number of each and every physician or other medical personnel who rendered you treatment or who is currently rendering you treatment for each and every injury, disease, illness, ailment and/or condition identified in subparagraph (a) hereinabove;
- (c) State whether it is claimed Plaintiff sustained a serious injury in the accident as defined in subdivision (d) of Section 5102 of the Insurance law of the State of New York and, if so, the basis for this claim;
- (d) State whether Plaintiff claims to have aggravated, accelerated or exacerbated a pre-existing or prior injury, disease, illness or condition in the accident and, if so, specify in detail the nature of each and the name and address of each doctor who rendered treatment for said condition; and
- (e) State when any insurance carrier or entity has notified Plaintiff of any lien(s) and, if so, whether Plaintiff possesses any documents with regard to such lien(s).

- (f) State the name, address and telephone number of the custodian of records of each and every document referred to in subparagraph (b) hereinabove.

***ANSWER:***

**INTERROGATORY NO. 11:**

State whether Plaintiff was involved in any other accidents that resulted in litigation.

***ANSWER:***

**INTERROGATORY 12:**

With respect to the allegations in the Plaintiff's Complaint:

- (a) The amount claimed for all medical expenses;
- (b) Identify each and every medical bill in Plaintiff's possession; and,
- (c) State the name, address and telephone number of the custodian of records of each and every document referred to in subparagraph (a) hereinabove.

***ANSWER:***

**INTERROGATORY NO. 13:**

Please state whether you are claiming, as an element of damages, lost past or future earnings.

If you are claiming such damages, state the amount and the basis upon which you compute such amount. Identify each and every one of Plaintiff's employers from the date of the accident to the present, including their respective addresses and telephone numbers.

***ANSWER:***

**INTERROGATORY NO. 14:**

With respect to the allegations in the Plaintiff's Complaint:

- (a) Identify and describe each and every document recording any communication between Plaintiff and Plaintiff's employer(s) which describes or otherwise relate to Plaintiff's alleged loss of wages, earnings, profits, benefits or any other form of

compensation relating to the subject matter of this action; and,

- (b) State the name, address and telephone number of the custodian of records of each and every document referred to in subparagraph (a) hereinabove.

***ANSWER:***

**INTERROGATORY NO. 15:**

With respect to the allegations in the Plaintiff's Complaint:

- (a) Identify each and every local, state and federal income tax form filed by Plaintiff individually or jointly, for the period from 2006 through the present; and,
- (b) State the name, address and telephone number of the custodian of records of each and every document referred to in subparagraph (a) hereinabove.

***ANSWER:***

**INTERROGATORY NO. 16:**

With respect to the allegations in the Plaintiff's Complaint:

- (a) Identify each and every written report, statement or document prepared and/or signed by you, or substantial verbatim recording, transcript, notes, or other documents relating to any oral statement made by you, which relates to the subject matter of this action; and
- (b) State the name, address and telephone number of the custodian of records of each and every document referred to in subparagraph (a) hereinabove.

***ANSWER:***

**INTERROGATORY NO. 17:**

- (a) Identify each and every oral or written statement or report, or other document from any person which relates to the subject matter of this action.
- (b) State the name, address and telephone number of the custodian of records of each and every document referred to in subparagraph (a) hereinabove.

***ANSWER:***



**INTERROGATORY NO. 18:**

- (a) Identify each and every Social Security Administration document relating to Plaintiff's wages, periods of employment and names and addresses of all of your employers for the past five (5) years; and
- (b) State the name, address and telephone number of the custodian of records of each and every document referred to in subparagraph (a) hereinabove.

***ANSWER:***

**INTERROGATORY NO. 19:**

- (a) State whether Plaintiff is in possession of any statements of the Defendants, their agents, servants or employees; and,
- (b) State the name, address and telephone number of the custodian of records of each and every document referred to in subparagraph (a) hereinabove.

***ANSWER:***

**INTERROGATORY NO. 20:**

Identify the acts, if any, of the Defendants, their agents, employees and/or servants, which were careless.

***ANSWER:***

**INTERROGATORY NO. 21:**

Identify the name and address of each person whom Plaintiff expects to call as an expert witness at trial and with respect to each such witness, provide a copy of the written report prepared by the witness containing a complete statement of all opinions to be expressed and the reasons therefore; the data or other information considered by the witness in forming the opinions; any exhibits to be used as a summary of or support for the opinions; the qualifications of the witness including a list of all publications authored by the witness within the preceding ten (10) years; the compensation to be paid for the study and the testimony; and a listing of any other cases in which the

witness has testified as an expert at trial or by deposition within the preceding four (4) years.

**ANSWER:**

Dated: New York, New York  
July 18, 2008

Yours, etc.,

**GALLO VITUCCI KLAR PINTER & COGAN**

A handwritten signature in black ink, appearing to read 'Kevin F. Pinter', is written over a horizontal line.

KEVIN F. PINTER, ESQ. (KFP-0352)

***Attorneys for Defendants***

90 Broad Street, 3<sup>rd</sup> Floor  
New York, New York 10004  
(212) 683-7100  
Our File No.: UH-2008-2

To:

JOSEPH FLEMING, ESQ. (JF-9542)  
***Attorney for Plaintiff***  
116 John Street, Suite 2830  
New York, New York 10038  
(212) 385-8036



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GALLO VITUCCI KLAR PINTER & COGAN

*Attorneys for Defendants*

90 Broad Street, 3<sup>rd</sup> Floor  
New York, New York 10004

Tel: (212) 683-7100

Fax: (212) 683-5555

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